



Replies Pursuant to 37 C.F.R. § 1.116
Expedited Procedure
Group Art Unit 1642

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Antonio J. GRILLO-LOPEZ *et al.*

Application Serial No. 09/840,872

Group Art Unit: 1642

Examiner: Gary B. Nickol

Filed: April 25, 2001

Title: INTRATHECAL ADMINISTRATION OF RITUXIMAB FOR TREATMENT OF
CENTRAL NERVOUS SYSTEM LYMPHOMAS

* * * * *

REQUEST FOR RECONSIDERATION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the official action [final rejection] dated May 7, 2003, wherein the claims were rejected under 35 U.S.C §§ 102(b), 103(a), and 112, first paragraph, as well as the doctrine of obviousness-type double patenting.

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Request
For
Continued Examination (RCE)
Transmittal

Address to:
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Alexandria, VA 22313-1450

| | |
|-------------------------------|-------------------------|
| <i>Application Number</i> | 09/840,872 |
| <i>Filing Date</i> | April 25, 2001 |
| <i>First Named Inventor</i> | ANTONIO J. GRILLO-LOPEZ |
| <i>Art Unit</i> | 1642 |
| <i>Examiner Name</i> | Gary B. Nickol |
| <i>Attorney Docket Number</i> | 037003-0280609 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. Other Amendment filed July 7, 2003 (copy enclosed)

b. Enclosed

i. Amendment/Reply

ii. Affidavit(s)/ Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other _____

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

a. period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. Deposit Account No. 033975

i. RCE fee required under 37 CFR 1.17(e) \$750.00

ii. Extension of time fee (37 CFR 1.136 and 1.17)

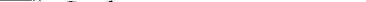
iii. Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---|-----------------------------------|--------------------|
| Name (Print/Type) | Thomas A. Cawley | Registration No. (Attorney/Agent) | 40944 |
| Signature |  | Date | September 26, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

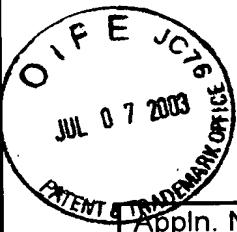
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| Name (Print/Type) | | |
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This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TRADEMARK
Appln. No: 09/840,872 Atty: Thomas A. Cawley, Jr./JB
First Inventor: Antonio GRILLO-LOPEZ Date: July 7, 2003
Matter No: 0280609
Client No: 037003

ENCLOSED:

ENCLOSURE:
 Response/Amendment Appendix Cover Sheet Cited/Listed Documents
 Completion Request for R 53(f)/PCT Nat.

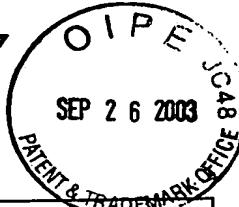
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1 Set Formal 1 Set Informal Cover Letter

Declaration # of pages

Assignment Cover Sheet

Small Entity Declaration

Extension Petition (PAT)

No. of Priority Documents

No. of Priority Documents

IDS Letter Cited Appln(s) Foreign Sch Rep/OA

PTO-1449 Cited Documents

Issue Fee Transmittal Form PTOL-85(b) in duplicate

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Current DUE DATE: August 7, 2003

(Submit Single Copy Only)